

Appl. No.: 10/604,934
Amdt. Dated: 07/4/2006
Reply to Office action of: 06/21/2006

REMARKS/ARGUMENTS

The Examiner has required an election of one of two distinct species of the claimed invention determined by the Examiner to be claimed in Applicants' application. Specifically the Examiner states,

- I. Claims 1 – 10, drawn to drive gear nut apparatus, classified in class 74, subclass 89.23.
- II. Claims 11 – 20, drawn to the method of making a drive gear nut apparatus, classified in Class 29, subclass 893.1.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed could have been made through green sand molding, injection molding, milling, cutting, and/or any number of other machining operations.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, at least claim 1 appears to be generic.

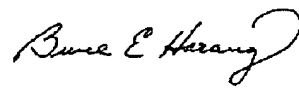
Applicant elects without traverse Group I, Claims 1 – 10; Applicant states that all the elected claims (Claims 1 – 10) read upon the species selected.

Applicant further states that there is no change in inventorship created by this election of species.

Appl. No.: 10/604,934
Amdt. Dated: 07/4/2006
Reply to Office action of: 06/21/2006

In view of the remarks herein, and the amendments hereto, it is submitted that this application is in condition for allowance, and such action and issuance of a timely Notice of Allowance is respectfully solicited.

Respectfully submitted,



Bruce E. Harang
Registration No. 29,720
Tel.: (360) 903-4693